IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Writ Petition No. 3725 of 2006

Pune Peoples Co-operative Bank Ltd.
and ors. Petitioners
Vs.
M/s.Duwell Agency & ors. Respondents

Mr.Sunil Nimbkar for petitioners.
Mr.P.S.Dani, for resp.no.1.
Mr.A.S.Prathinidhi for resp.no.2.

CORAM: B.H.MARLAPALLE,J.

June 05, 2006.

P.C.

. Heard Mr.Nimbkar, the learned counsel for the petitioners. The petitioners are aggrieved by the order dated 11/5/2006 passed by the Divisional Joint Registrar, Co-operative Societies, Pune Division, Pune thereby staying the attachment order dated 21/12/2005 until further orders. The Revision Application is now fixed for hearing on 20/6/2006.

. The petitioner-Bank claims that the impugned order has been passed ex-parte and the Court did not issue any notice while passing the said ex-parte ad-interim stay. The petitioner-Bank has moved an application on 18/5/2006 before the Divisional Joint Registrar to take the matter on board and hear the parties for interim relief on the revision application. The Divisional Joint Registrar has

issued notices on 18/5/2006 in response to the application filed by the petitioner-Bank and the parties were called upon to appear on 29/5/2006. It is stated by the learned counsel for the petitioner-Bank that on 29/5/2006 the office of the Divisional Joint Registrar was closed and, therefore, no hearing could take place. Admittedly now the revision application is kept on 20/6/2006 before the Divisional Joint Registrar for further hearing.

. Under the circumstances, the petition is disposed off by directing the Divisional Joint Registrar, Co-operative Societies, Pune Division, Pune to hear both the parties on 20/6/2006 for vacating or confirming the impugned order dated 11/5/2006 and in no case the matter shall be adjourned further. It is made clear that the impugned order per se would not affect the contractual rights of the Bank unless it is confirmed by the Divisional Joint Registrar.

(B.H.MARLAPALLE,J.)